

REMARKS

Claims 10, 11, 36 and 41–61 are currently pending. Claims 10, 11, 36 have been amended. Claims 41-61 are new. Claims 1-9, 12-35 and 37-40 have been cancelled. The applicant reserves the right to present cancelled claims 1-9, 12-35 and 37-40 in a continuation or a divisional application.

In the Office Action, the Examiner allowed claims 10 and 11. The applicant has amended claims 10 and 11 to correct antecedent basis terms and more clearly define the claimed invention. Many of the redundant limitations have been removed. For example, the limitation of “providing the first interface to a plurality of publishers, each defining different content data objects” was removed because it is substantially the same as the earlier limitation “providing a first interface to a publishers to define content data objects.” Similarly, the limitation “providing the second interface to a plurality of users of client computers, each capable of selecting the content data objects from one or more of the plurality of publishers “ was removed because it is substantially the same as the earlier limitation, “providing a second interface to a user of a client computer to select some of the content data objects from the publishers.”

The limitation of providing a third interface was amended to only be directed to the user since the user selects the payment terms and conditions of transmission of the content data objects. See Application, paragraphs [0013, 0031 and 0071]. Because claims 10 and 11 have not been substantially altered and includes limitations not disclosed or suggested by the prior art, the applicant respectfully submits that as amended claims 10 and 11 are still allowable.

In the Office Action, claim 36 was rejected under 35 USC 112 second paragraph. The Examiner objected to these claims for containing both machine and process limitations. The Office Action also included a statement that claim 36 would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. The applicant has amended claim 36 so that all limitations are machine limitations. Specifically, the process limitation “a billing process” of claim 36 was changed to “a billing program” machine limitation. The applicant submits that claim 36 was amended to overcome the rejection under 35 USC 112 second paragraph.

Claim 36 was also amended to more clearly define the invention. The limitation, “a billing process for causing transfer of payment from a user to a publisher in exchange for

transmission of requested content data objects” was removed because this limitation was incorporated later in the claim. The applicant respectfully submits that claim 36 as amended should be allowable.

The applicant has added new claims 41-61. New claims 41-45 depend from claim 10. Since claim 10 should be allowable, the applicant submits that claims 41-45 should also be allowable. Claims 46-49 depend from claim 36 which should be allowable for the reasons discussed above. The applicants submits that since claim 36 should be allowable, claims 46-49 should also be allowable.

New claim 50 is an independent method claim that includes all limitations of independent machine claim 36 in a method format. The applicant respectfully submits that since claim 50 includes all limitations of claim 36, claim 50 should also be allowable. New claims 51 – 55 depend from claim 50. The applicant respectfully submits that since claim 50 should be allowable, claims 51 - 55 should also be allowable.

New claim 56 is an independent machine claim that includes all limitations of independent method claim 10 in a machine format. As discussed above, claim 10 is allowable. The applicant respectfully submits that since claim 56 includes all limitations of claim 10, claim 56 should also be allowable. New claim 57 – 61 depend from claim 56. The applicant respectfully submits that since claim 56 should be allowable, claims 57 – 61 should also be allowable.

The applicant thanks the Examiner for allowing claims 10 and 11 and respectfully requests that a timely Notice of Allowance be issued in this case for the other pending claims. The Examiner is encouraged to call the undersigned if there are any questions or comments at (415) 705-6386. The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication or credit any overpayment to Deposit Account No. 04-0822.

Respectfully submitted,
DERGOSITS & NOAH LLP

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By: 

Paul K. Tomita
Reg. No. 43,193